

PATENT (U.S.A.)  
ATTORNEY'S DOCKET NO.: 81206-248374

## DECLARATION

- ☒ ORIGINAL  
☐ CONTINUATION  
☐ DIVISIONAL

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 1 below, or a joint inventor if plural inventors are named below at 1-4, of the invention entitled: RADIOACTIVE SEED WITH MULTIPLE MARKERS AND METHOD FOR USING SAME

Which is described and claimed in:

☒ the attached specification or  
☐ the specification in application Serial No. \_\_\_\_\_ filed \_\_\_\_\_ ☐ as amended on \_\_\_\_\_  
and for which a patent is sought, and that my residence, post office address and citizenship are as stated below next to my name.

I acknowledge my duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

## PRIOR FOREIGN APPLICATION(S)

COUNTRY	APPLICATION NUMBER	DATE OF FILING Month Day Year	PRIORITY CLAIMED UNDER 35 U.S.C. 119
			YES _ NO _ YES _ NO _

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

<u>08/904,695</u> (Application Serial No.)	<u>August 1, 1997</u> (Filing Date)	<u>Pending</u> (Status)
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Send correspondence to:  
**PILLSBURY MADISON & SUTRO LLP**  
 725 South Figueroa, Suite 1200  
 Los Angeles, CA 90017-5443

**DIRECT TELEPHONE CALLS TO:**  
**Paul G. Nagy**  
**(213) 488-7100**

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3	LAST NAME	FIRST NAME	MIDDLE NAME	Residence: CITY	STATE or COUNTRY
	Post Office Address				CITIZENSHIP
4	LAST NAME	FIRST NAME	MIDDLE NAME	Residence: CITY	STATE or COUNTRY
	Post Office Address				CITIZENSHIP

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 1	SIGNATURE OF INVENTOR 2
DATE 3/11/99	DATE
SIGNATURE OF INVENTOR 3	SIGNATURE OF INVENTOR 4
DATE	DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ) Art Unit  
 ) Examiner:  
 L. MICHAEL CUTRER )  
 Serial No: )  
 Filed: )  
 For: RADIOACTIVE SEED WITH MULTIPLE MARKERS)  
AND METHOD FOR USING SAME )

POWER OF ATTORNEY BY ASSIGNEE  
AND EXCLUSION OF INVENTOR UNDER RULE 3.71

Assistant Commissioner for Patents  
 Washington, D.C. 20231

Dear Sir:

The undersigned L. Michael Cutrer is a representative authorized to sign on behalf of the assignee of the entire interest in the above-identified subject application, North American Scientific, Inc. and hereby appoints:

Paul N. Kokulis, Reg. No. 16,773; Raymond F. Lippitt, Reg. No. 17,519; G. Lloyd Knight, Reg. No. 17,698; George M. Sirilla, Reg. No. 18,221; Carl G. Love, Reg. No. 18,781; Kevin E. Joyce, Reg. No. 20,508; Edgar H. Martin, Reg. No. 20,534; David W. Brinkman, Reg. No. 20,817; Jay M. Finkelstein, Reg. No. 21,082; William K. West, Jr., Reg. No. 22,057; G. Paul Edgell, Reg. No. 24,238; Donald J. Bird, Reg. No. 25,323; Peter W. Gowdey, Reg. No. 25,872; Richard H. Zaitlen, Reg. No. 27,248; Glenn J. Perry, Reg. No. 28,458; Dale S. Lazar, Reg. No. 28,872; Kendrew H. Cohen, Reg. No. 30,368; Mark G. Paulson, Reg. No. 30,793; Paul E. White, Jr., Reg. No. 31,097; Roger R. Wise, Reg. No. 31,204; Stephen C. Glazier, Reg. No. 31,361; Paul F. McQuade, Reg. No. 31,542; Michelle N. Lester, Reg. No. 32,331; David A. Jakopin, Reg. No. 32,995; Timothy J. Klima, Reg. No. 34,852; Lynn E. Eccleston, Reg. No. 35,861; Paul G. Nagy, Reg. No. 37,896; Peter J. Gluck, Reg. No. 38,022; Steven W. Smyrski, Reg. No. 38,312; Richard K. Yoon, Reg. No. 42,247; Eric S. Chen, Reg. No. 43,542; Vivian S. Shin, Reg. No. 43,919; Eric S. Chen, Reg. No. 43,542

all of the firm of PILLSBURY MADISON & SUTRO LLP as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventor and his attorney in accordance with the provisions of Rule 32 of the Patent Office Rules of Practice.

North American Scientific, Inc., per 37 C.F.R. §3.73(b), certifies that the evidentiary documents with respect to its ownership have been reviewed and that to the best of the undersign's knowledge and belief, title is in the assignee seeking this action.


North American Scientific, Inc., declares that 100% ownership is established by the assignment filed for recordation on, a copy of which is attached.

Please direct all telephone calls to Paul G. Nagy at (213) 488-7100 and all correspondence relative to said application to the following address:

Paul G. Nagy  
 PILLSBURY MADISON & SUTRO LLP  
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ASSIGNEE: North American Scientific, Inc.

Date: 3/11/99

Signature:   
 Title: President  
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